

# Notice of Allowability

Application No.

10/667,585

Examiner

Roberto Rábago

Applicant(s)

BRANT ET AL.

Art Unit

1796

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/15/2007.
2. ☒ The allowed claim(s) is/are 20,22,24,27-44,56,58-60,62,63,73,74,76,78,81-96,106,108,110-112,114-117,158-161,166-263,266,267,269-277 and 280-304.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date See Continuation Sheet
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date: 6/7/04;7/31/07;11/5/07.

### **Examiner's Amendment**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Catherine Bell on 1/4/2008.

#### **In the specification:**

On page 1, in paragraph labeled [0001], delete "and to USSN 60/431,077, filed Dec. 5, 2002"

On page 26, line 19, after "12/29/97," insert -- now Pat. 6,451,938, --.

On page 26, line 20, after "3/13/98" insert -- , now abandoned --.

On page 69, line 27, after "1999" insert -- , now Pat. 6,403,773, --.

On page 75, line 2, after "1994," insert -- now abandoned, --.

#### **In the claims:**

In each of claims 38, 39, 90, 91, 291 and 292, last line, delete "dichloride".

In each of claims 43, 95, 117, 238 and 296, line 28, delete "dialkyl ammonium salts such as:"

In each of claims 190, 209, and 259, line 29, delete "dialkyl ammonium salts such as."

In claim 73, delete line 1 on "Page 12 of 137" of the amendment filed 10/15/2007.

In claim 73, delete line 8 on "Page 20 of 137" of the amendment filed 10/15/2007, through line 6 on "Page 23 of 137", including all of pages 21 and 22.

In claim 73, delete line 14 on "Page 24 of 137" of the amendment filed 10/15/2007, through line 15 on "Page 26 of 137", including all of page 25.

In claim 73, delete line 2 on "Page 29 of 137" of the amendment filed 10/15/2007, through line 4 on "Page 31 of 137", including all of page 30.

In claim 73, delete line 11 on "Page 34 of 137" of the amendment filed 10/15/2007, through line 14 on "Page 36 of 137", including all of page 35.

In claim 85, delete the last two lines, and insert in their place -- ethylene, but-1-ene and hex-1-ene. --

In claim 87, add a period after "compound".

In claim 116, delete line 18 on "Page 55 of 137" of the amendment filed 10/15/2007, through line 18 on "Page 58 of 137", including all of pages 56 and 57.

In claim 116, delete line 26 on "Page 59 of 137" of the amendment filed 10/15/2007, through line 27 on "Page 61 of 137", including all of page 60.

In claim 116, delete line 15 on "Page 64 of 137" of the amendment filed 10/15/2007, through line 18 on "Page 66 of 137", including all of page 65.

In claim 116, delete line 26 on "Page 69 of 137" of the amendment filed 10/15/2007, through line 28 on "Page 71 of 137", including all of page 70.

In claim 193, change "174" to -- 192 --.

In claim 234, add a period after "compound".

Cancel claims 264, 265 and 268.

In claim 269, add a period after "compound".

In claim 275, line 15, after "reactor" insert -- operated at pressures of 25-30 MPa --.

Cancel claims 278 and 279.

In claim 288, add a period after "compound".

In claim 303, delete line 26 on "Page 110 of 137" of the amendment filed 10/15/2007, through line 4 on "Page 115 of 137", including all of pages 111-114.

In claim 303, delete line 28 on "Page 116 of 137" of the amendment filed 10/15/2007, through line 2 on "Page 119 of 137", including all of pages 117-118.

In claim 303, delete line 20 on "Page 122 of 137" of the amendment filed 10/15/2007, through line 22 on "Page 124 of 137", including all of page 123.

In claim 303, delete line 25 on "Page 128 of 137" of the amendment filed 10/15/2007, through the end of "Page 130 of 137", including all of page 129.

In claim 304, line 13, change "pace" to -- place --.

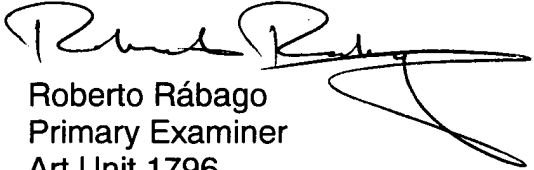
#### ***Terminal Disclaimer***

2. The terminal disclaimers filed on 10/15/2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US 7,279,536 or application 11/433,889 have been reviewed and are accepted. The terminal disclaimers have been recorded.

3. Figures 1-11 filed 9/22/2003 are accepted by the examiner.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberto Rábago whose telephone number is (571) 272-1109. The examiner can normally be reached on Monday - Friday from 8:00 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Roberto Rábago  
Primary Examiner  
Art Unit 1796